

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
GREENBELT DIVISION**

ACCUVANT, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No.: 8:12-cv-01647-AW
	)	
MEGADATA TECHNOLOGY, LLC,	)	
	)	
Defendant.	)	

**ANSWER**

Defendant, Megadata Technology, LLC, by and through its counsel and pursuant to the Federal Rules of Civil Procedure submits the following as its Answer to Plaintiff's Complaint.

**First Affirmative Defense**

Plaintiff's claims are barred by the equitable doctrine of laches.

**Second Affirmative Defense**

Plaintiff's claims are barred by the equitable doctrine of unclean hands.

**Third Affirmative Defense**

Plaintiff's claims are barred because Plaintiff has failed to mitigate its damages.

**Fourth Affirmative Defense**

All or a part of the transactions resulted from Defendant's fraudulent conduct.

**Fifth Affirmative Defense**

Defendant's claims are barred by the Statute of Frauds.

**Sixth Affirmative Defense**

Plaintiff fails to state a claim upon which relief may be granted.

### **Seventh Affirmative Defense**

Defendant responds to the specific allegations of Plaintiffs' complaint as follows:

1. Deny.
2. Deny.
3. Admit in part and deny in part.
4. Defendant does not have sufficient information to admit or deny the allegations of this paragraph.
5. Admit.
6. Defendant does not have sufficient information to admit or deny the allegations of this paragraph.
7. Admit.
8. Admit in part and deny in part.
9. Defendant does not have sufficient information to admit or deny the allegations of this paragraph.
10. Admit.
11. Defendant does not have sufficient information to admit or deny the allegations of this paragraph.
12. Admit in part and deny in part.
13. Admit in part and deny in part.
14. Admit.
15. Admit.
16. Admit.
17. Admit in part and deny in part.

18. Admit in part and deny in part.
19. Admit.
20. Admit.
21. Admit.
22. Admit in part and deny in part.
23. Deny.
24. Deny.
25. Deny.
26. Deny.
27. Deny.
28. Deny.
29. Admit.
30. Admit.
31. Admit.
32. Defendant does not have sufficient information to admit or deny the allegations of  
this paragraph.
33. Deny.
34. Admit in part and deny in part.
35. Admit in part and deny in part.
36. Admit.
37. Admit.
38. Admit in part and deny in part.
39. Deny.

40. Admit.
41. Deny.
42. Admit in part and deny in part.
43. Admit.
44. Deny.
45. No response to the statement is required.
46. Deny.
47. Deny.
48. Deny.
49. No response to the statement is required.
50. No response to the statement is required.
51. Deny.
52. Deny.
53. Deny.
54. No response to the statement is required.
55. No response to the statement is required.
56. Deny.
57. No response to the statement is required.

Accordingly, Defendant respectfully requests that the Court dismiss the above-styled action.

Respectfully submitted,

December 27, 2012

/s/Eden Brown Gaines  
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**CERTIFICATE OF SERVICE**

I do hereby certify that a copy of the foregoing Answer to Plaintiff's Complaint was served via the Court's Electronic Case File System this 27th day of December, 2012 on the following:

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